

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6313

BILL NUMBER: SB 88

NOTE PREPARED: Jan 24, 2006

BILL AMENDED:

SUBJECT: Motor Vehicle Restraint Systems.

FIRST AUTHOR: Sen. Wyss

FIRST SPONSOR: Rep. Crouch

BILL STATUS: As Passed Senate

FUNDS AFFECTED: X GENERAL
DEDICATED
X FEDERAL

IMPACT: State

Summary of Legislation: This bill has the following provisions:

- A. It requires every occupant of a motor vehicle to wear a safety belt, with certain exceptions.
- B. It removes from the safety belt law conflicting language that was declared invalid by the Indiana Supreme Court.
- C. It prohibits the sale or transfer of a motor vehicle unless the motor vehicle is equipped with safety belts.

Effective Date: July 1, 2006.

Explanation of State Expenditures:

Explanation of State Revenues: Under current law, trucks, tractors, and recreational vehicles are excluded from the requirements for safety belt use. This bill would remove these exclusions and require all passengers, not just those in the front seat, to wear a safety belt. This provision is estimated to result in \$805,000 in additional revenue from infractions to be deposited in the state General Fund.

Data and Analysis: For CY 2004, 1.36 million trucks with a gross weight of not more than 11,000 pounds and 3.69 million passenger cars were registered with the Bureau of Motor Vehicles. The estimated seat belt violations for CY 2004 are provided in the following table.

	Registered Vehicles In CY 2004	Seat Belt Violations
Passenger Cars	3,688,293	87,153
Trucks	1,364,247	32,237 *
* Estimated figure based on proportion of seatbelt violations to registered passenger cars in CY 2004		

Although the number of additional citations and fines will depend on compliance and enforcement, the number of vehicles subject to seat belt use, based on vehicle registrations, could increase by over 32,000. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments are collected. The maximum judgment for a Class D infraction is \$25, which is deposited in the state General Fund. This would represent new revenue of approximately \$805,000.

Projected New Violations		Infraction Judgment		New Revenue
32,237	x	\$25	=	\$805,916

Federal Funding: For purposes of funding eligibility, the National Highway Traffic Safety Administration does not consider Indiana to have a comprehensive safety belt law because passengers and drivers of trucks and sport utility vehicles are not required to use seat belts. Consequently, under current law, Indiana is not eligible for federal grants under Section 406 of the SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act of 2005 – A Legacy for Users).

This bill would allow Indiana to be eligible for an estimated \$15.8 M between FFY 2006 and FFY 2009 in federal transportation monies from SAFETEA-LU. The funds can be used for safety infrastructure purposes.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Indiana Department of Transportation.

Local Agencies Affected: Trial courts, Local law enforcement agencies.

Information Sources: Bureau of Motor Vehicles; Dan Jeffries, Criminal Justice Institute.

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